

Reply to Office Action dated June 23, 2009

REMARKS

Claims 10, 12, 68 and 71-72 are pending in this application. By this Amendment, claims 10 and 68 are amended and a substitute Abstract is provided. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action objects to the Abstract. The Office Action states that the Abstract begins with "Disclosed is an electronic commerce system and method" and that appropriate correction is required. The attached Substitute Abstract obviates the grounds for objection.

The Office Action rejects claims 10, 12, 68 and 71-72 under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the above amendments obviate the grounds for rejection. More specifically, the Office Action states that the claims do not state what action occurs if a particular condition is not present. The above amendments obviate this issue in each of independent claims 10 and 68. Withdrawal of the rejections is respectfully requested.

The Office Action rejects claims 10 and 12 under 35 U.S.C. §103(a) over U.S. Patent 6,324,522 to Peterson et al. (hereafter Peterson) in view of U.S. Patent 6,963,849 to Chaturvedi et al. (hereafter Chaturvedi) and U.S. Patent 7,191,142 to Sandell et al. (hereafter Sandell). The Office Action also rejects claim 68 under 35 U.S.C. §103(a) over Peterson in view of Sandell. Still further, the Office Action rejects claims 71-72 under 35 U.S.C. §103(a) over Peterson in view of Chaturvedi, Sandell and U.S. Patent Publication 2002/0042756 to Kumar et al. (hereafter Kumar). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 10 recites determining whether or not there is the order for the tangible product purchase from one of the dealing companies, determining whether or not the

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ordered tangible product belongs to a previously established error list in the database server if it is determined that there is the order for the tangible product purchase, and determining whether or not there is the order for the tangible product purchase from one of the dealing companies if it is determined that there is not the order for the tangible product purchase. Independent claim 10 also recites temporarily suspending next operations and notifying the error to a user if it is determined that the ordered tangible product belongs to the previously established error list, and confirming the order for the tangible product purchase if it is determined that the ordered tangible product does not belong to the previously established error list, determining whether or not the error is cured. Independent claim 10 also recites confirming the order for the tangible product purchase if the error is determined to be cured, and suspending the next operations temporarily and notifying the error to the user if the error is determined to not be cured. Still further, independent claim 10 recites that the error list includes at least one of products that fail to exist on a sales list, products ordered by a dealing company that is not authorized, products for which a price and quantity differ from a prescribed minimum price and quantity, or products for which a quantity of the available product in stock is less than the amount ordered.

The applied references do not teach or suggest at least these features of independent claim 10. More specifically, the applied references do not teach or suggest the error list includes at least one of products that fail to exist on a sales list, products ordered by a dealing company that is not authorized, products for which a price and quantity differ from a prescribed minimum price and quantity, or products for which a quantity of the available product in stock is less than the amount ordered, as recited in independent claim 10. Newly-cited Sandell's "damage" report

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260, “overage” report 262, “shortage” report 264 and/or “suspend” report 266 do not suggest these features of the error list.

Peterson, Chaturvedi, Sandell and the other applied references do not teach or suggest the features related to the previously established error list. For example, the applied references do not teach or suggest determining whether or not the ordered tangible product belongs to a previously established error list, suspending the next operations temporarily (and notifying the error), and/or confirming the order for the tangible product purchase based on the previously established error list.

For at least these reasons, the applied references do not teach or suggest all the features of independent claim 10. Thus, independent claim 10 defines patentable subject matter.

Independent claim 68 recites an order control server that sequentially controls operations of: determining whether or not there is an order for the tangible product purchase from one of the dealing companies, determining whether or not the ordered tangible product belongs to a previously established error list in the database server if it is determined that there is an order for the tangible product purchase, and determining whether or not there is the order for the tangible product purchase from one of the dealing companies if it is determined that there is not the order for the tangible product purchase. Independent claim 68 also recites temporarily suspending next operations and notifying the error to a user if the ordered tangible product is determined to belong to the previously established error list, and confirming the order for the tangible product purchase if the ordered tangible product is determined to not belong to the previously established error list. Independent claim 68 further recites determining whether or not

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the error is cured, and confirming the order for the tangible product purchase if the error is determined to be cured and suspending the next operations temporarily and notifying the error to the user if the error is determined to not be cured. Independent claim 68 also recites that the error list includes at least one of products that fail to exist on a sales list, products ordered by a dealing company that is not authorized, products for which a price and quantity differ from a prescribed minimum price and quantity, or products for which a quantity of the available product in stock is less than the amount ordered.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 68. More specifically, the applied references do not teach or suggest that the error list includes at least one of products that fail to exist on a sales list, products ordered by a dealing company that is not authorized, products for which a price and quantity differ from a prescribed minimum price and quantity, or products for which a quantity of the available product in stock is less than the amount ordered.

Peterson, Chaturvedi, Sandell and the other applied references also do not teach or suggest the features related to the previously established error list. For example, the applied references do not teach or suggest determining whether or not the ordered tangible product belongs to a previously established error list, temporarily suspending the next operations temporarily, and/or confirming the order for the tangible product purchase based on the previously established error list. Thus, independent claim 68 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 10 and 68 defines patentable subject matter. Each of the dependent claims depends from one of the independent

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claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 10, 12, 68 and 71-72 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



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Attached: Substitute Abstract

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